



**San Diego
Regional Water
Quality Control
Board**

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Pete Wilson
Governor

February 20, 1998

Interested Parties:

RE: MANDATORY MTBE SAMPLING FOR UNDERGROUND STORAGE TANK (UST) SITE CLOSURES - SENATE BILL (SB) 521

This is to inform you that effective January 1, 1998, the passage of SB 521 added the following new language to the Health and Safety Code (H&SC) which is applicable to leaking UST sites:

"Section 25299.37.1. No closure letter pursuant to this chapter shall be issued unless the soil or groundwater, or both, where applicable, at the site have been tested for MTBE and the results of that testing are known to the regional board."

At this time, the State Board staff has no plans to issue guidance regarding the implementation of this section of the H&SC. Therefore, Regional Board staff will use professional judgment to interpret and implement this section using the following general guidance unless or until other criteria are promulgated or provided by the State Water Resources Control Board. The following must be met prior to closure of any site where gasoline has been stored or may have reasonably been used at a site:

1. For soil only sites, MTBE analysis in soil will be required;
2. For ground water impacted sites or soil sites that may threaten ground water, both soil and ground water sampling and analysis for MTBE will be required.

After January 1, 1998, this Regional Board can not issue closure letters without MTBE analytical results.

For sites closed by a local oversight program (LOP) agency, it is the responsibility of that agency to ensure that the results of MTBE in soil and/or ground water are known to the Regional Board. MTBE results shall be included in the case closure summaries. This information will be entered into the Leaking Underground Storage Tank Information System (LUSTIS) or other electronic database to help comply with new MTBE reporting requirements under SB 592 (Chapter 814, Statutes of 1997). This bill added Section 13272.1 to the Water Code and requires the Regional Boards to notify public water system operators of MTBE releases.



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Our mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

In some cases, the field work has already been completed and it may be difficult to go back and get additional soil/ground-water sampling data. Depending on the laboratory's experience with MTBE and caution with respect to dilution factors during analysis, the presence of MTBE may be interpreted from existing chromatograms (U.S. EPA Methods 524.2 and/or 8020). In these cases, I encourage the responsible party (RP)/consultant to request the laboratory to reevaluate the chromatograms for the presence of MTBE. If MTBE appears to be present, then additional sampling for MTBE will be required.

For sites that are clearly nongasoline contaminated sites (e.g. diesel, heating/fuel oil, waste oil, etc.) closure is possible without MTBE data. Sufficient historical and/or analytical data should be used to make this determination.

I appreciate your cooperation. If you have any questions or if my staff or I can be of any assistance, please call me at (619) 467-2975.

Sincerely,

JOHN P. ANDERSON, Senior Engineering Geologist
UST Program Manager
Site Mitigation & Cleanup Unit

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cc: Mr. Allan Patton, SWRCB UST Program Manager
Mr. Dave Deaner, SWRCB UST Cleanup Fund Manager
Regional Board UST Program Managers
Mr. Dan Diehr, San Diego County Water Authority

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